

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, Washington, D.C. 20231, on

April 29, 2002

Date of Deposit

Gregory H. Zayia - Reg. No. 48,059

Name of Applicant, Assignee or
Registered Representative

Gregory Zayia

Signature

April 29, 2002

Date of Signature

Our Case No.: 3086/1285 (BH 2084)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James R. Mayne et al.

Examiner: To Be Assigned

Serial No.: 10/061,998

Group Art Unit No.: 1614

Filing Date: January 31, 2002

For: Topical Anti-Inflammatory
Compositions and Methods of
Reducing Inflammation

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

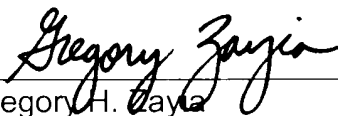
In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents A1-A12 listed on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this material, the Commissioner is hereby authorized to deduct the fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

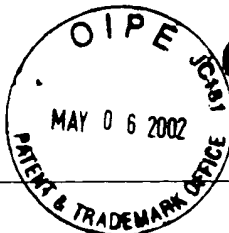
Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Gregory H. Zayza
Registration No. 48,059
Agent for Applicants

BRINKS HOFER GILSON & LIONE
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Chicago, IL 60610
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1614

| TRANSMITTAL LETTER | | | Case No. 3086.1245 (BH 2084) |
|---|---------------------------------|----------------------------|------------------------------|
| Serial No. 10 061,998 | Filing Date January 31, 2002 | Examiner To Be Assigned | Group Art Unit 1614 |
| Inventor(s) Mayne et al. | | | |
| Title of Invention Topical Anti-Inflammatory Compositions and Methods of Reducing Inflammation | | | |

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal Letter (in duplicate), Information Disclosure Statement (in duplicate), Form PTO-1449, Twelve (12) Cited References, and Return Postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- ☐ Petition for a month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

| | | | | | Small Entity | | Other Than Small Entity | |
|---|----------------------------------|-------|---------------------------------|---------------|-----------------|-----------|-------------------------|-----------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Add'l Fee | Rate | Add'l Fee |
| Total | | Minus | | | x \$9 = | | x \$18 = | |
| Indep. | | Minus | | | x 42 = | | x \$84 = | |
| First Presentation of Multiple Dep. Claim | | | | | + \$140 = | | + \$280 = | |
| | | | | | Total add'l fee | \$ | Total add'l fee | \$ |

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☐ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.



00757
PATENT TRADEMARK OFFICE

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Respectfully submitted,

Gregory H. Zayia

Gregory H. Zayia
Registration No. 48,059
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I hereby certify that this correspondence is being sent via facsimile 703-305-7723.
to Examiner Fritz Fleming, Group Art Unit 2836, at the United States Patent and Trademark Office on April 29, 2002.

Date: *April 29, 2002* Signature: *Gregory Zayia*



RECEIVED

| | | |
|---|---------------------------------|-------------------------------------|
| FORM PTO-1449 | SERIAL NO. 10/061,998 | CASE NO. 3086/1285 (BH2084) |
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT | FILING DATE January 31, 2002 | GROUP ART UNIT 1614 |
| (use several sheets if necessary) | | APPLICANT(S): James R. Mayne et al. |

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS/ SUBCLASS | FILING DATE |
|---------------------|----|--------------------|------------|------------------------|--------------------|----------------|
| | A1 | 4,481,185 | 11/06/1984 | Grollier et al. | | |
| | A2 | 5,560,910 | 10/01/1996 | Crandall | | |
| | A3 | 5,767,095 | 06/16/1998 | Winget | | |
| | A4 | 6,153,208 | 11/28/2000 | McAtee et al | | |
| | A5 | 6,174,533 | 01/16/2001 | SaNogueira, Jr. et al. | | |
| | A6 | 6,184,247 | 02/06/2001 | Schneider | | |
| | A7 | 6,190,678 | 02/20/2001 | Hasenoehrl et al. | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS/ SUBCLASS | TRANSLATION | |
|---------------------|-----|--------------------|------------|---------|--------------------|-------------|----|
| | | | | | | YES | NO |
| | A8 | EP 1 062 944 A1 | 12/27/2000 | EPO | | | X |
| | A9 | WO 99/52502 | 10/21/1999 | PCT | | | X |
| | A10 | WO 98/05294 | 02/12/1998 | PCT | | | X |

| EXAMINER INITIAL | OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.) | |
|---------------------|--|--|
| | A11 | PM O'Byrne, GM Gauvreau, and LJ Wood, "Anti-Inflammatory Agents In The Treatment Of Allergic Airway Disease", <i>World Equine Airways Symposium</i> , August 4-8, 1998, pp. 1-6. |
| | A12 | English Abstract of JP 5058902 A2, March 9, 1993, 2 pages |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.